

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHAW RAHMAN,

Plaintiff,

v.

AMERICAN TIRE DISTRIBUTOR, INC.,
et al.,

Defendants.

No. C13-0410RSL

ORDER REGARDING PLAINTIFF'S
MOTION TO COMPEL

This matter comes before the Court on plaintiff's motion to compel the production of documents from defendant American Tire Distributor ("ATD"). Dkt. # 60. Whether there remain any outstanding issues is difficult to ascertain. Having reviewed the memoranda, declaration, and exhibits submitted by the parties, the Court finds as follows:

- All written communications with plaintiff shall be directed to the addresses identified in the docket. Unless and until Mr. Rahman provides notice to the Court of a change of address, defendants shall send communications via email to mailtoshawrahman@gmail.com and via the United States Postal Service to 16596 NE 84th Ct. #4A, Redmond, WA 98052. It is plaintiff's responsibility to update the docket to reflect his current addresses and to check the identified mailboxes regularly for correspondence related to this matter.

- It appears that ATD has produced all emails between plaintiff and Anjani Gali, as well

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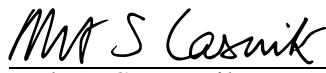
1 as the weekly status reports sent to Anjani Gali and Aramnad Aghabegian on or before March
2 22, 2012.

3 ● In their response, defendants committed to providing all emails between plaintiff,
4 Anjani Gali, and Prashanth Koppula within the time limits established in Fed. R. Civ. P. 34. The
5 Court assumes that production occurred on or around April 30, 2014.

6 ● Plaintiff's supposition that defendants are intentionally concealing documents or
7 delaying production is unjustified on the record presented. The misdirection of discovery
8 responses does not establish bad faith, and defense counsel has shown a willingness to try to
9 understand what plaintiff is seeking and to look beyond formalities to ensure that discovery
10 proceeds in an orderly fashion.

11 ● ATD's request for sanctions pursuant to Fed. R. Civ. P. 37 is denied. The parties did
12 confer, the communication problem was discovered, and defendants promised to resend the
13 responsive materials. When the materials still did not appear, plaintiff filed this motion.
14 Although it was improper to expand the scope of his discovery requests in the motion, plaintiff is
15 proceeding *pro se* and will not be sanctioned for this misstep. ATD's request for Rule 11
16 sanctions fails to comply with the requirements of that rule and has not been considered.

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19 Dated this 19th day of May, 2014.

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21 Robert S. Lasnik
22 United States District Judge
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